

## *What Can Delay Payments?*

If the offender is in jail, prison or a treatment program, you may not receive payments or very small or inconsistent payments. The offender may be paying on other court obligations or the payments may be distributed to other victims involved in this case. Each victim may receive a percentage of the amount collected or payments may be alternately disbursed. Contact the Clerk of Court with questions on payments or disbursement.

## *What Is The Best Way To Keep Updated On The Status Of My Restitution?*

Remember to keep your address updated with the clerk of court where the crime was prosecuted. If the clerk mails payment and the payment is returned, the payment will be held for one year and turned over to the state compensation fund as unclaimed restitution.



## *Who Do I Call if I Have Not Received Payments?*

If you have not received payments, call the Clerk of Court to verify payment status.

The Clerk may refer you to the Prosecuting Attorney for further assistance with restitution. Please let them know you have not received your restitution payments. You may contact Probation/Parole directly and ask for the supervising agent but please remember the information you will receive may be limited.

If the offender is incarcerated, you may not receive payments until after his/her release or entry into a work program.

If you would like to receive notification on all offender status changes including parole and location, you will need to register with the Wyoming Department of Corrections' Victim Notification Program. Contact the prosecuting attorney's office and they will assist you with this matter.

If you would like to be updated on the release of an offender from a Correctional Facility or County Jail, please register on [www.vinelink.com](http://www.vinelink.com) for telephonic notifications.

# Restitution

What Every  
Crime Victim  
*Needs To Know*



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## ***Restitution: Frequently Asked Questions***

### ***What is Restitution?***

Restitution is a court ordered payment by offenders to victims for expenses resulting from crime. As a general guideline, restitution can be ordered for the following:

- Medical bills
- Property repair or replacement
- Counseling
- Burial/Funeral expenses
- Lost Wages

Restitution can be ordered directly to victims, service providers or to organizations that paid bills for the victim.

### ***How Do I Request Restitution?***

Submit the bills and other documents showing the amount of restitution to be considered by the court to the prosecuting attorney. If you have not been contacted by an advocate at the prosecuting attorney's office, call immediately. Keep your advocate or the prosecuting attorney aware of the expenses if you have not received your finalized bill.

**IMPORTANT NOTE:** Most criminal cases are resolved by plea agreements. Plea agreements can occur within days of the actual crime. You must turn in this information as soon as possible. Offenders that have already been sentenced cannot be ordered to pay restitution.

### ***What Information Should I Provide?***

- Copies of bills/receipts for medical, dental, counseling or related expenses
- Employer statements that document unpaid time off
- Documentation that estimates value of stolen property
- Copies of insurance claims and deductible amounts
- Receipts for rental or related costs for equipment needed due to injuries

If you are unsure as to whether restitution can be ordered for a loss, submit and the judge will make the determination.

### ***What Cannot Be Covered By Restitution?***

Payment for pain and suffering or emotional distress cannot be ordered by a criminal court. You should consult with a civil or private attorney if you are interested in being compensated for these losses.

### ***Who Makes Sure the Offender Pays?***

Payments are received and paid out by the clerk of the court. If the offender is on *probation or parole*, then the Wyoming Department of Corrections field offices are responsible for monitoring the restitution requirement but payments will still be made and disbursed through the courts. If the offender fails to make payments, this is reported to the prosecutor. If the offender is on *unsupervised parole*, the court will monitor the payments.

### ***Can I Collect Restitution On My Own?***

You may pursue collection of restitution from the defendant in the same manner as a civil judgment. This means that civil collection options such as liens on property and garnishment of wages are available to victims to collect restitution. If you have offender information such as his/her employer, the clerk may be able to issue an execution and garnish wages. If you do not know the offender's employer information or his/her whereabouts, you may want to consult with an attorney to discover your options.

### ***Are Juveniles Ordered To Pay Restitution?***

Yes. Juveniles can be ordered to pay restitution the same as an adult. As with adults, the court must determine the juvenile's ability to pay. According to *W.S. 14-6-247(a)(v)*, either a juvenile and/or the child's parents can be ordered to pay restitution to the victims of a juvenile offense. The most a parent can be required to pay in restitution for a child's offense is \$2,000. The request process is similar to that of adult offenders.

